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International Court of Justice

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OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

9 July 1946

COMMISSIONER:

M. Martin Havard

THE SA

(The Commission convened at 1040 hours)

FRANZ BOCK, a witness, took the stand and testified as follows:

THE COMMISSIONER:

Q. What is your name?

A. Franz Bock

Q. Will you raise your right hand and repeat this oath:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath)

COMMISSIONER: You may sit down.

(Off the record discussion - partially translated)

DIRECT EXAMINATION

BY DR. ASCHENAUER:

Q. Before I question the witness I shall rectify, as the Commission has accepted yesterday - I shall rectify some of the articles which I want to submit. In their book the prosecution submits the document 3050 P.S. The prosecution submits the article "We were the First!" - relating to the march into Austria. I quote from the article of March 19, 1938....."Five comrades of our editorial staff were on the spot when the decision was made. When our troops marched into

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Austria, they came as forces of the SA while incredible celebration was going on. What they saw and what they left will show in the following paragraphs....." Same for March 26, 1938, I quote: "On the day of the celebration of Austria, we five comrades from the editorial staff of the SA-Man have crossed the border with the German troops at Mittenwald. We have experienced the joyous celebration and happiness of this with them, and we have crossed the sea of enthusiasm in the Austrian country." Volume 38 of the SA-Mann - both quotations.

Furthermore the prosecution basis their documents on what they call picture in the movement of April 2, 1938, of SA men and of which they see it as a photograph, but which is only a cartoon. Furthermore the prosecution quoted from the volume 37 of DER SA-Mann, July 3, 1937, page 12, the following article: "The War of Tomorrow." The prosecution has forgotten here to quote the middle piece which is joining the two articles together, and I quote this part of the article. " Physical ability and characteristic ideological composure have nothing to do with militarism; also no one should see any aggressive conception in the defensive part of the people. The German people refused Bolshewismus and any imperalistic war as one man, but for the defense of the existence and of the secutiry of the Reich, no sacrifice is too great for the German people."

COMMISSIONER: Defense counsel, have you many documents of this kind?

DR. ASCHENAUER: I will submit documents before the questioning of the witness and that the witness is to be questioned and counter-questioned and would be put into cross examination. I refer to an agreement reached yesterday with Col. Griffith Jones. This is the easiest way to save time.

MR. MARRECO: We had hoped to have our new document 3050 P.S. ready for this hearing. That document would have facilitated the matter, because Dr. Aschenauer would be able to put the document in the hands of the witness before putting questions to him. Unfortunately, that document was not ready

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owing to the work in the translating section. Col. Jones agreed with Dr. Aschenauer that he should read the relevant documents, quoting from the document, The SA-Mann, and then question the witness on them. The method that Dr. Aschenauer is now attempting is a laborious one, but it is in accordance with that agreement.

COMMISSIONER: Are the documents you are reading now relevant as far as this witness is concerned?

DR. ASCHENAUER: The relevancy of this document comes from the document itself, and therefore I should not have to question the witness as far as those questions are concerned.

MR. MARRECO: Dr. Aschenauer has started to put the questions before the witness befor e we had a chance to know who the witness is.

DR. ASCHENAUER: The witness has been named long time ago, so has the topic we are going to refer to.

COMMISSIONER: Have you got so much to read?

DR. ASCHENAUER: As far as substantial articles are concerned, this is the last. All the others have to be submitted directly to the witness.

COMMISSIONER: We have lost too much time already in this argument. Will you please finish with this last article, but in the future I ask you not to lose so much time with the reading.

MR. MARRECO: For the benefit of the record, because the Tribunal won't have the witness' application before them, I would suggest that Dr. Aschenauer identify the witness and tell why he should be able to testify to the contents of these articles.

DR. ASCHENAUER: I state again the witness is being questioned as to instructions and use of force in the SA. Furthermore, he's being questioned as to articles, which according to theprosecution were meant to

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instruct the SA men, as to the wearing of the weapons, and which according to the prosecution were the first conditions for bringing about modern warfare.

MR. MARRECO: I don't want to delay the proceedings any more, but what I meant was - wouldn't it be better if he asked the witness about his experience and situation before he put those questions to him?

DR. ASCHENAUER: I can do that.

Q. Since when did you belong to the SA?

A. Since 1922.

Q. Please give us an account of your career in the SA.

A. I entered the SA in Munich in 1922, and I remained an SA-man until 1927 or 1928. In the year 1928 I entered Fuehrerlaufbahn, leader career, meaning that I became first Scharfuehrer, then Truppfuehrer, Sturmfuehrer and Sturmbannfuehrer, and this lasted until 1932. While I was out of work in 1932, I became first adjutant of Obergruppenfuehrers in Koblenz, and which him I went to Frankfurt and Munich, and eventually I became Stabsfuehrer of a group of SA in Regensberg in 1933. In 1934, I took up command of Standartenfuehrers in Traunstein, Oberbayern. In 1935, I was brigade leader in Dusseldorf. After having passed a short time, then an instruction course offered by Roehm in 1934. From 1935 to 1937, I was brigade leader in Dusseldorf, and 1936, I was in charge of an instruction course for Sturmbannfuehrer in Dusseldorf. In 1937, the chief of staff, Lutze, called me to Munich at the supreme direction of the SA. My task there was to create, erect, and to promote the Amt for social welfare. I first of all developed this dividion into Amp up to 1939. In 1939, I was transferred from this Amt tothe chief Amt of instruction in the SA. In 1940 instructions calmed down, because of the drafting, and I volunteered for the Wehrmacht and did my military service up to 1942. I started in 1940 as a private, and I went up the military scale until 1942, when I was a first lieutenant. Towards 1942--

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1943, I was called back to Dusseldorf in the place of the late SA fuehrer, Knickmann, as chief of SA fuehrer Niederrhein. I had this office until my capture and arrest in Dusseldorf on April 21, 1945. That is all I have to say as to my person and my career.

Q. Before I continue, I want to come to the document quoted by the prosecution - document taken from The SA-Mann, volume 1939 of February 3, 1939, page 3. There is following supplement under the picture quoted by the prosecution - Col. General von Brauchitsch, and chief of staff, Lutze, attended the celebration which has been made for them as part of the Berlin SA. I'll question the witness. Were there schools of the SA, places to educate and instruct the SA, in the sense of defensive measures?

A. The schools of the SA were instructed as soon as possible for mere SA instructions, which means political soldierdom.

Q. What do you mean by the term "political soldierdom"?

A. The term political soldierdom means an inner and outward composure of the SA man. This includes political conviction, volunteering will for defense, volunteering subordination and volunteering readiness for the people and the State, unwill composure of character, comradeship and personal cleanliness in person and in the family.

Q. Is the term soldierdom to be understood as a military term or as a moral conception?

A. The term soldierdom includes the volunteering, and according to our conception, and as we have taught the SA man, is a moral conception.

Q. What was turned into the spotlight - was the term of soldierdom - was it the moral conception or the military point?

A. It is just because the term and conception of soldierdom promoted the moral side - it is only this moral side that can be considered ~~xxx~~ as the meaning of soldierdom.

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Q. What was the meaning of the supreme command of the SA to the "defensive ability/"?

A. The supreme command of the SA considered that defensive ability was an inner readiness to defend oneself in all situations of life. This instruction or education has nothing to do with any military education or instruction. This includes the fundamental education of the soldier, the instruction with the weapon, and the use of the weapon, and the instruction for battle, and in short everything that is concerned with the general military instruction. For the officers, it is the higher military education, the command, the coordination of different weapons, and the coordination of the weapons of the Army and Air Force. This military education was the concern only of the Whermacht, and it is only the Whermacht that dealt with those measures, both during the term of military service and during the instructive exercises.

Q. That means that the SA had nothing at all with the technical side of the weapon education - that means with military education - as the term is considered?

A. No, with this military education and technical education of the weapon, the SA had no concern at all.

Q. In that case the quotations of the prosecution that the SA was the basis for the military readiness, is to be considered only in the sense of defensive ability?

A. Yes.

Q. Is the retaining and maintaining of the defensive ability and militarism the same thing?

A. No, there is a fundamental difference between the two. No, maintaining of defensive ability means the maintaining of the moral defensive powers of the people, whereas, militarism is to be considered the arming of the people or the

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bad form of the military regime and the oppressing regime.

Q. What is the meaning of the expressions quoted by the prosecution, such as fanatic love of the fatherland... education to high will of aggressiveness - meaning boys trained for sport?

A. These expressions taken together mean the moral readiness for defense, because fanatic love of the fatherland is without a doubt the best expression of the will of defense of the people. Education for a high will of aggressiveness means for us just this - defensive power, and boys training for sport are the expressions of that same education.

Q. In what connection do you consider these quoted words or expressions?

A. These expressions are in connection with our sport education - such as we have taught them in the schools and in our units and furthermore, the Fuehrer said in his book "Mein Kampf", Chapter 9, dealing with organization and says of the SA, the following words - he, the Fuehrer, refused any meaning and any sense of the SA as military or free corps.

MR. MARRECO: We are quite capable of reading for ourselves of what the fuehrer said in Mein Kampf. This is quite irrelevant.

DR. ASCHENAUER: I want to state that this is the part of the book which the prosecution has not referred to, but all the other parts have been referred to.

COMMISSIONER: The witness is here to answer the questions. He is not here to give a lecture, and I ask him to confine himself strictly to answers which may be of interest to the Tribunal.

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DIRECT EXAMINATION (continued)

BY THE COMMISSIONER:

The witness is here to answer the questions. He is not here to hold a lecture and I ask him to confine himself strictly to answers which may be of interest to this Tribunal. Dr. Aschenauer, will you please pass on to the next question?

BY DR. ASCHENAUER:

It is my contention that this answer rectifies sentences which have been quoted by the prosecution. I'll now continue.

Q. Is the wish of defense to be considered the same as the wish to make war or only the wish to master the difficulties of life?

A. One can not assimilate the wish for an aggressive war or aggressive power with such measures as we have given to master the common difficulties of life.

Q. What was the reason for the Supreme Command of the SA to promote the physical and moral readiness for defense?

A. The reason for promoting this wish for defense was to be found first in the idea of keeping up the moral strength and defensive power in the man. We were quite able to see that after the War of 1918 and after the economic breakdown there had been deterioration of the German people altogether and that furthermore moral corruption was shown by the erection of so many groups and groups of interest and the operating of so many powers.

BY THE COMMISSIONER:

It is not the task of the witness to justify the actions of the SA. He is only to quote them.

BY DR. ASCHENAUER: I now continue.

Q. What is the difference between the defensive education as carried out

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by the SA and military instruction as dealt with by the Wehrmacht?

A. Our defensive education dealt with the moral and spiritual composure of the people, whereas the military instruction consists in an education bound to be only on the merely technical basis and always according to the military necessities.

Q. Did the Supreme Command think in this connection about an aggressive war?

A. We could not and we did not think of an aggressive war because we were a ware that all around Germany we had open borders and that we had no reserves. Furthermore, I want to stress the point that as from 1934 public opinion was always more concerned with the friendship between people and bringing people even more together. I want to stress furthermore the fraternization which became almost all the more obvious between the ex-service man; between German youth with foreign youth; between German workers with foreign workers.

BY MR. MARRECO:

The witness is still speaking in general terms. His remarks are not concerned solely with the SA.

BY DR. ASCHENAUER:

I am of a different opinion, but I am not going to state.

BY THE COMMISSIONER:

I repeat that the witness is to talk of the actions of the SA and he is not to justify those actions and he is not to give us the propaganda possibilities of the SA.

BY DR. ASCHENAUER:

I may call the attention of the prosecution to those remarks which were contained in the prosecution's statement as to the character of the SA. This is the reason why the actions and the reasons for those actions are to be examined and the witness is to answer on those grounds.

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Q. Why was the term combat instruction and soldier's spirit placed in the spotlight? I ask the witness to be short.

A. The combat instruction had to be placed in the spotlight because it is a scale for efficient action. The soldier's spirit remained for us just an example of the efficiency.

Q. What were the means placed in the spotlight in which you call combat instruction?

A. Those means were sport and instruction for combat.

Q. Why had the SA to wear a uniform which, according to what the prosecution said, was in line with military function?

A. In order to distinguish them from other organizations the SA had brown shirts. This brown shirt had to be secured by every individual and furthermore the SA men wore army pants of bright colors and the cap was a different color. It is just those bright colors and the little practical value of the uniform which make it, beyond all doubt, that the uniform can not be compared with the military uniform which is in grey and which is very practical.

Q. Did the SA have weapons at their disposal?

A. As the Fuehrer had sworn the legality oath at Leipzig, according to this oath the SA did not have weapons at their disposal and were forbidden to wear them during the fighting. As from XXX 1933 all SA, but especially the leaders of the SA got honor daggers. As from 1933, SA leaders, as well as any other German citizen, were able to secure a pistol provided they had a license for it. The daggers for the SA were rather difficult to secure and therefore even as late as 1945 part of the SA had no daggers at their disposal.

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Q. The prosecution submits as a proof of the military character of the SA, an article published in volume 1934 of the SA Mann under the date of February 10, 1934, page 7, an article entitled "The March". Is that a military article? I ask the court to have a little recess because I have to get some documents.

BY THE COMMISSIONER:

There will be a recess of 10 minutes.

(Commission recessed at 1145 and reconvened at 1200 hours)

BY THE COMMISSIONER:

Dr. Aschenauer, I have consulted with Col. Neave regarding the time allowed the defense counsel to hear the witness. It is left to the president of the commission to limit this time. The defense counsel is permitted to use more than the allotted time of 3 hours if the testimony is of the highest interest to the Tribunal. The questions put up to this point did not contribute anything new to the case of the SA as far as the Commissioner is concerned. On the other hand, the witness uses up too much time giving irreleva nt answers and making propaganda speeches. The defense counsel has permission to hear the witness until one o'clock. This afternoon we will have the interrogation and I shall ask the defense counsel to please put only such questions as are of the highest interest during the hour still left to it.

BY DR. ASCHENAUER:

I wish to make the following statement for the record. The questions in hearing to this problem have not been raised yet. All the efforts of the Secretary General were unable to produce the most important witnesses until now. That is why ten, that is to say more than half of the intended witnesses could not be here. That is why the limitation of my time until

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one o'clock puts a limit on my defense which is not justified. In fact I object. I shall consequently instigate to submitting the entire questions pertaining to the SA in open court. I want to state the following: we have the last witnesses. These witnesses are not present, and my hearing is being limited. I consequently consider the hearing as guaranteed by the statutes as not having taken place.

BY THE COMMISSIONER:

I always can revoke my decisions if I decide that it is a good thing to do and if between twelve and one-o'clock I find that the hearing is relevant of course I shall give the time necessary to make your point in the hearing, but if the hearing goes on the way it went on this morning it will be finished at one o'clock.

BY DR. ASCHENAUER:

I may point out that I have permission to examine the articles of the Document 3050 PS. I shall stand on this right since just because of this examination a hearing which took place some weeks ago was interrupted.

BY MR. MARRECO:

That is quite true. He has permission to examine the whole of 3050, and in my summation he can do it in one hour.

BY DR. ASCHENAUER:

But I also have questions pertaining to training and education.

BY THE COMMISSIONER:

I shall stick to my decision. Will you please start your questioning Dr. Aschenauer?

BY DR. ASCHENAUER:

Q. Witness, is this a military article? (Article of Feb 10, 1934, p. 7).

A. This article deals simply with hygienic methods to be observed on a

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march. As for instance, care of the feet.

BY MR. MARRECO:

I should like to interrupt once more, to say that this article speaks for itself. We are as capable as the witness is as to whether this is a military article or not. It is obvious that it is a matter of common sense. We do not want the witness to tell us what a military article is; we all know a military article when we see it.

BY DR. ASCHENAUER:

May I point out here that the prosecution has submitted only the titles of these articles. When I read this article I found that its contents were not of a military kind. If I am not permitted to examine this article for the record the prosecution must submit all these articles in translation.

BY MR. MARRECO:

That is exactly what it is doing. The new document 2471 will contain these articles, set out in full. That was agreed by the prosecution at the previous hearing of these witnesses.

BY THE COMMISSIONER:

I think we are losing too much time. The Tribunal has secretaries at their disposal who are reading these documents and verifying them and without argument about something which I know nothing about I must share the views of the prosecutor that we do not need the witness to tell us whether or not this article is a military one.

BY DR. ASCHENAUER:

On the assumption that these documents will be finally submitted in their entirety I am willing to give up here the hearing of these articles in this session. However I reserve the right to submit them to the witness at

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that time. I also must say that my procedure has been approved before this commission here was sitting. I am very much surprised at the objections taken by the prosecution today.

BY THE COMMISSIONER:

The prosecution does not object to the submission of the documents but rather does he object that one document takes up so much time.

BY DR. ASCHENAUER:

Q. In short, no more than a hygienic article. Now we come to the article "Pistol shooting Sport". I ask you to read the first paragraph and to state whether it is military?

A. The first paragraph reads as follows: "Please do not let the title make you believe that there are any thoughts of rearmament. This is to tell only a little bit of a sport which unfortunately is little enough known."

Q. The next article submitted by the prosecution is entitled "Flame Throwers at the Front." I ask you if that is a historic souvenir article or a literary article?

A. An article of souvenir from the World War.

Q. The prosecution submits as a military article the article entitled "The Marching Steps of the SA are Resounding on the Streets of Liberated Is that a military march or a propaganda march?

A. This is a propaganda march as always was undertaken during the time of struggle.

Q. Further, the SA submits the article as "Arbrigate 6" - "March for the German Danzig" in order to prove the military side of the SA. Is that an election propaganda march or a military march?

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A. It can only be a propaganda march because of an inspection of the SA.

Q. The prosecution submits the article entitled "Sport as Military Training". Is that the sport within the SA or the military sport?

A. To judge by the title and the picture, it is obviously the Army sport depicted here.

Q. The prosecution submits the article with the title: "Whoever fights us we will beat him down; whoever provokes us we will attack him." I am asking you is this a military article or is this an article pertaining to the church program?

A. This is a political article, one paragraph of which reads as follows: "If I refer in this connection to the so-called church struggle I do this somewhat against my will. We are a politically ideologic group."

Q. The prosecution submits the article entitled "From the place of work to the machine gun dreyse." The prosecution wishes to prove its introduction of machine gun. I ask you is that a souvenir of a police man who entered the Wehr or is that a training article of the SA?

A. This is simply a story of a SA, of his experiences while he was in the ~~XX~~ Wehr.

Q. The prosecution submits the article entitled "SA Mann /as a border guard". The prosecution wishes to prove the military function of the SA by that. I ask the witness whether this article tells of the experience of an SA man who was drafted as an auxiliary police?

A. Judging by the 2nd paragraph, this deals only with the personal experiences of an SA man who was drafted as an auxiliary policeman or as a border guard.

Q. The prosecution submits the article entitled "Return to the brown shirt from the field blue tunic" and wishes to prove by that the military training of the SA. That is why I am asking the witness whether this is an

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article telling of the experience of an SA man who returns to the Sturm?

A. The subtitle shows clearly that it is a matter of the year in which he was serving in the Wehr and he tells his comrades of his experience in the Wehr.

Q. The prosecution submits an article entitled "SA man at the heavy machine gun". I ask you whether it deals with machine gun instruction given by the SA or the Wehr?

A. By the Wehr.

Q. A humorous article entitled "SA Duty in the Air." I am asking you whether this article deals with the training of the SA in aviation or whether it deals with a visit to the airport at Tenpelhof?

A.- The SA never gave any flying training. Besides the article tells the story of a visit at an airfield.

Q. The prosecution submits an article entitled "SA
On the basis of this article the prosecution concludes that the SA executed field maneuvers. I ask you whether the article shows that?

A. There were no field maneuvers in the SA. It deals with the SA training within the frame of the SA sport insignia.

Q. Does the article entitled "Speed, Safety and without Error" deal with the same thing?

A. Yes, it deals with the same thing but with larger sport contests which took place within the framework of this sport insignia.

Q. The prosecution also submits an article called "Youth Training and Wehr Education" which is education of militant spirit at the great powers. I am quoting a sentence in order that I may ask in regard to Soviet Russia: "The youth between 15 and 19 has obligatory instruction in schools and in units instructions in rifle, machine gun, field maneuvers,

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combat shooting, gas combat and throwing of hand grenades." Did the SA intend that sort of militant state instruction?

A. That sort of military instruction was not intended in the SA.

Q. The SA Mann, on the basis of charges by the prosecution, contains articles regarding gas, combat and chemical warfare. Were these articles of general interest or were they instruction articles?

A. They were only articles of general interest.

Q. Witness, you have answered the SA has no arms. What about the article eight which was submitted by the prosecution containing the training order with use of weapons?

A. The SA had to take over these regulations because it was used after the seizure of power for state functions such as auxiliary police. Besides the SA leader did have a pistol and he had to know how to make use of it in case of self-defense.

Q. If the SA was unarmed, why is it, as the prosecution charges, the SA was called the strongest arm of the movement?

A. The term can only be understood in a figurative sense. During the time of struggle our organization was the only one which did the most efficient protection. After the seizure of power we were still the strongest organization of the movement.

Q. Isn't that why the SA is organized from Schar to Obergruppe? Doesn't this organization prove the contention of the prosecution that the SA is a military organization?

A. Every organization must have its sectors, and the way ours is organized took place in the years ~~xx~~ 1930 to 1931 from Schar, Trupp and Sturm. Numerically the different units differed in all the different areas and they also differed according to the time. There couldn't have been anything astounding to a mere organization.

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Q. Why did the SA form special units like navy, engineers, aviators and mounted units?

A. These special units we have formed in order to make concessions to the technical and landsmannschafrich interests. In the second place in order to provide for our propagandist appearances at celebrations and to see that our appearances at these meetings took place without friction.

Q. How about the plan of duties in the motor, marine and aviation units?

A. The plan of duty substantially resembled that of any marching group of SA.only there were people who had the opportunity of technical advantages and the ability to provide for themselves these things. A technical procedure developed by and by, for instance where communication is concerned. When a big meeting took place it was necessary to have the entire place surrounded by telephones so that they could see marching columns.

Q. What was the task of the music groups?

A. The music platoons were the best medium of propaganda for our marches. Besides music provides the rythm necessary for a marching group.

BY MR. MARRECO:

The prosecution is not interested in the music for a band; we are interested in the aims of the SA. It is irrelevant.

BY DR. ASCHENAUER:

I am asking because the band is under the charges of the prosecution .

Q. Why did the SA issue drill regulations?

A. In order to make sure of a decent looking picture which could be p rovided for only by exacting marching and discipline.

Q. Did the training regulations of the SA correspond to that of the Army?

A. The training regulations of the SA were pertaining only to those parts needed for the propaganda marches.

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Q. What carried the most weight while the SA was drilling?

A. The most weight was put on good body posture, march discipline and marching order.

Q. What substantial differences do we find when we compare the training regulations of the SA and of the Army?

A. I just said that our training regulations was there only to provide for decent marching and discipline. The military training regulations contain the use of arms and mainly the forms of combat and the order of combat.

Q. When and ~~xxxx~~ where did duty with gas masks take place?

A. Duty with a gas mask could take place only within the frame of service with the Wehr insignia, and in case of employment in some disaster, for instance - forest fire.

Q. Did the training on signal devices have any military significance?

A. The blinker device is merely an extension of the telephone, it was to be put in use only in cases of disaster if the telephone wires got hot or otherwise blown down. On the basis of my activity as brigade leader ~~in XXXX~~ I can state that most of these blinkers were constructed by the men themselves and I know that we needed them in order to overcome such difficulties as I mentioned before.

Q. But you will admit that such activities do play a part in the defense of the country?

A. Certainly, as perhaps all functions of civil life play a certain part during war time. In this way the Wehrmacht also needs shoemakers, tailors, and technicians. Modern warfare encompasses all the functions of modern life.

Q. The military has relief officers. The SA had created relief for the wounded and other insurance. Is the reason the same as that in the military? What was the cause?

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weekend schools gave the sub-leader a certain elemental instruction. These men were trained in how to handle their men in regard to propaganda, uniform, etc. They also discussed road geography, and topics of the day. The group schools were institutions for the sturm leaders. These schools served for forums of discussion in respect to the uniform organization of the SA organizations in the entire Reich (.)Besides the reich leadership came to these ~~xxxxxxxx~~ leaders for reports on how to practically exhibit the

Mainly it was the intention to achieve a certain unification of all the groups from ~~xxxxxx~~ north to south, east to west. Later on instruction in discipline and in sport and Wehr insignia was included. Generally, however, these schools served us to examine and recognize the efficiency, aptitude and general knowledge of the leaders. The reich schools,which include primarily the reich leader schools and than the leader schools in Dresden and in Vienna,were schools to examine and to train the middle and higher corps of leaders. Substantially the program contained instructions pertaining to the marches, organization and other things of importance. Secondly, matters of the sport and Wehr insignia and how to organize it.

BY COL. NEAVE:

Mr. Martin-Havard and I have just discussed this hearing. Dr. Aschenauer, how many more questions do you have?

BY DR. ASCHENAUER:

I have approximately 20 or 22 more questions pertaining to documents of charges submitted by the prosecution.

BY COL. NEAVE:

Dr. Aschenauer, a lot of the material already brought out has been irrelevant. Mr. Marreco, do you want to cross examine?

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BY MR. MARRECO:

My cross examination will take about 20 minutes.

BY COL ORLOV:

I have only a few questions.

BY COL NEAVE:

We will give both the prosecution and the defense a half hour each and will hear the next witness at three o'clock.

BY DR. ASCHENAUER:

I will be through with this witness in a half hour.

BY COL NEAVE:

If the 3 hour ruling is not strictly adhered to in respect to the witnesses for the SA, it will be quite impossible to finish by the end of the week, which the Tribunal has instructed us to do.

(Commission recessed until 1400 hours)

Com B
Take 3, page 1
Biolsi
1400 - 1530
9 July 1946
Franz Bock

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(The Hearing Reconvened at 1400 Hours
~~9 July 1946~~)

~~FRANZ BOCK - Continued~~
~~DIRECT Examination~~

~~FOR THE SA~~

~~COMMISSIONER:~~

~~Mr Mellwraith~~

THE COMMISSIONER:

I understand that at the adjournment awhile ago it was agreed that the remainder of the hearing of this witness should take one-half hour.

[redacted]

All right, then, it's a half hour for each side.

BY DR ASCHENAUER:

Q Witness, is the statement of the prosecution correct, according to which in three schools of the SA - which means Reichfuehrer schools - twenty-two to twenty-five thousand officers have been instructed. Is that correct?

A No. I have received my military instruction in 1940 as private with the Wehrmacht.

Q In Document 3125-PS, so-called Lehrscheinabzeichen, meaning forms for instruction and aid, are mentioned. What was the duty of those candidates who filled out these forms?

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A The candidates who filled in the Lehrscheinabzeichen, that is, the instruction forms, were taught necessary exercises for maintaining SA sport insignia; as to the candidates who filled in the examination forms, they were instructed as to the civil examination they had to go through.

Q And what were the main features of this examination?

A Both forms were merely papers in order to get through this disciplinary examination.

Q Why does this document mention training in combat on the broadest possible basis?

A Training in the front, training in combat, means training in all the superior groups sturm, and not in smaller individual groups; and on the largest possible basis means that all the sturms have to be reached by that training.

Q (It was impossible for the reporter to discipher the interpretation of this question - but here are skeleton notes:) For the SA Mann of 3.2.39, accordng to Document 3050-PS, the SA Mann of the Gau Franken * * * with carbine. Are you telling us the real facts about that?

A The only explanation I could find for this would be that this was a company ready to obtain the defensive insignia and which had * * * with Tunisia and on the lodge they might have been shooting exercises with

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small caliber carbines.

" The prosecution submits in Document 3050-PS, under page of instruction Ausbildung, the following articles: Shooting exercises of fusilears and ranges of company in combat. The first (a) Luftwaffe, the first alphabet of Antiaircraft, drill and commdn, the first instructions for gas warfare, the carbine No. 98, the battalion combat, the pistol 08, the shooting exercises with small caliber carbines, and exercises for groups of cavalry. Are those military articles exceeding the frame of the SA?

A They could not... (interruption)

COL ORLOV:

The witness should talk more slowly because I do not understand...

WITNESS:

These articles did not belong into the frame of the SA. Therefore, could not exceed this frame. These articles were merely reprinted in these newspapers in the same way as they were in any book shop for instruction and for first-hand instructions.

BY DR ASCHENAUER:

Q What was the aim of the articles of sport in the free air, map reading, knowledge of maps in general, and that sort of thing?

These articles contained measures of discipline and regulations of the defensive sport insignia of the SA-Wehrabzeichen. They give regulations that are

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contained in these forms.

A These disciplines were meant to sharpen the minds of the individuals and to bring the SA leaders to take their men out in the open and make them familiar with the nature, not alone in order to carry out this discipline in the outdoor.

Q In the article of 1938 the prosecution declares that the book shows that in that article is shown the SA marching along. Was there any SA formation carrying-ons and what does the picture which has been mentioned, mean?

A In my opinion this book could only show a formation of units of SA men on their way to a shooting exercise with small calibre carbines in the frame of the SA sport insignia.

Q Have the defensive sport insignia or SA insignia chosen other exercises mentioned in their program, such as are mentioned for the olympic sport insignia?

A In their main views the discipline used in the SA sport insignia and in the defensive sport insignia were the same as those mentioned in the olympic sport program, such as riding, shooting, cross country and steeplechase. Should we have been able to execute our plans in regard to the grand national socialist parteitag and the sport contest which we planned for this, in that

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A. The SA did not have the same reason for it as the army had. Our relief was only due to the tremendous terror which emanated from the political fight. Besides our sport activities brought about a considerable number of sport accidents of all sorts. That was why we had created a relief organization which we paid for out of our own funds in order to be able to assist those poor and poor who were marching in all lines.

Q. Is your concept of the non-military function of the SA not contradicted by the construction of reserves and of training sturms?

A. Our reserve came about as follows. After the seizure of power the large complexes of all sorts of organizations came to the SA. By this tremendous growth and the duties which SA men had to fulfill in other services, a unified service could not be formed. That is why we created reserves, in order to find a place for those who were no longer able to do those duties and those who were too old. Most of the SA reserves disappeared in time, partly because of the numerical reduction in the SA. The training sturms, however, were used to train leaders. Mainly only created in order to receive those men without uniforms who came to us from other organizations.

Q. The army has the military academies, the SA had for the training of leaders, leader schools, group schools and riding schools. Were these schools of a military character?

A. Our leader schools had no military character whatsoever. Their only reason for being was that they were to train leaders in line with our SA attitude.

Q. Will you describe the school program?

A. I will be brief and give a summarized school program. The sub-leader schools mostly were weekend programs and lasted only a few hours. These

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case we wanted to extend in a large measure the exercise mentioned above. It was for this reason that the Reich sport leader Tschawmer had been appointed for the national socialist sport contest.

Q Under the 27th of January 1939, page 2, the prosecution has submitted an article in which they mention the SA as a juncture, as a joint between the Party and the Reichswehrmacht. What does that mean?

A The headlines of this article are, to my opinion, only to mention the pre and post-military exercises with which the SA has been put in charge by the Fuehrer in 1939. These headlines have very often not been chosen according to the sense of the decrees. It is an established fact that if these pre and post-military exercises had existed already in 1939 it is only after the beginning of this war that the whole organization leading to the exercises has been created and established. As far as I know these pre and post-military exercises which were to begin in October 1939 have later on been cancelled again by the government and by the Party organizations. Therefore, as from 1934 until 1939 our exercises confined themselves only to exercises leading to the defensive sport insignia and the SA sport insignia and was kept strictly sport.

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Q You mean to say that the order of 1939 was cancelled and did not go into effect?

A Yes.

Q The prosecution has stated that the disciplinary measures within the SA, as the forbidding of the wearing of uniform, or confinement to quarters, or reduction in rank, punishment with jail sentence, could only show as coming from the military character of theSA. What is your opinion on that question?

A The punishment within the SA had to be what they were in order to keep those and the organization clean. Confinement to quarters was provided for, but there was no provision for imprisonment, and even such confinement to quarters, as far as I recall, as far as I had to decide, has never been executed.

Q The prosecution has stated that by the facilities of the SA, 800,000 men were equipped and instructed for warfare. Is that correct?

A No. In Germany the compulsory military service existed and at the beginning each German, whether he was a member of the SA or not, had to report to the military quarters and was drafted accordingly, unless he volunteered.

Q The last two questions.

The prosecution have based their document of Dr. Gisevius as witness for the prosecution, which has started the problem of the so-called Heldenkeller (Hero

H1042 - 0030

Cellar). What have you to say on this so-called measure of consolidation of the Nazi power. What was the position of the Supreme Command of the SA with regard to that problem?

A I have been in 1933 and 1934 as adjutant and staff leader with groups and super groups and Obergruppenfuehrers of the SA, and I have never seen anything of those institutions. But I know that the chief of the SA and especially Lutze always told me that he refused any executive measure as to the SA, and I know even that all those SA chiefs who have been responsible for overstepping their duties have been severely punished and dismissed from the SA.

Q In this connection the prosecution has pointed out the case of Hohenstein and Oranienburg. What do you know of these cases?

A As to Hohenstein I know that in that place SA leaders which were guilty of abuses have been condemned to long terms of imprisonment and have been dismissed from the SA; and as to Oranienburg, the chief of this camp -- who was either Sherkner or Super Group Leader Schaefer -- during several talks we had, that he had conducted this camp according to regulations and had even written a book according to this camp. At the time when I had this talk with him Schaefer was the chief of the

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penalty execution of the Reich Justice Ministry of t he Camps of the Emsland. And he pointed out that he had reached the confidence of the Minister of Justice Guertner because of his good collaboration with his men, with the SA leaders.

Q Should Guertner have appointed Schaefer if he had been responsible for anything out of the order?

A I do not think so, because Guertner was known as a very conscientious man in the Ministry of Justice and I do not think he would have accepted Schaefer if Schaefer had been responsible for any abuses there.

* * * * * * * *

CROSS-EXAMINATION

BY ANTHONY MARRECO: (~~British Prosecutor~~)

Q Witness, I am not going to waste long with you I just want you to look at two documents, if you will.

(~~Here the prosecutor hands the witness a document; and also to the Commissioner.~~)

Let's look at this document. This is a latter from the Reich Minister of the Interior, to the Reich Minister for the Enlightenment and Propaganda in Berlin, in July 1934. He says: "With reference to unauthorized press releases about military matters, despite very frequent references made to this, it has up to now been impossible to

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provide that thos announcements in the press which may give the appearance of military activities of the SA and SS be withheld."

And in the next paragraph he says: "I respectfully request that you use all possible means in order that such announcements be prevented..."

Why should the German press be reporting the pre-military activities of the SA if they did not exist?

A This is only an order from the chief... (interruption)

Q All right, I am not asking what this is. I am asking: Why should the German press report a pre-military activity of the SA if they did not exist?

A I have stated this morning that in the SA there were only exercises for sportive reasons, unless the SA Mann in question should be called for State functions.

Q I heard you say that this morning.

Now, look here, witness, I would be very obliged if you will answer my question in a very straightforward manner. This is a letter from the Ministry of the Interior to the Ministry of Propaganda, and there is no question of the bona fide of the document. I am asking you if you can give any explanation as to why the German press should be reporting the pre-military activities of the SA if such activities did not exist at all. If you can't give any explanation at all, say so.

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A I can only give the following explanation: First of all, in this document there is reference made to SS units which were at that time engaged in having a contest, a unit contest. I declare again that the SA had only sportive and propagandistic tasks, and at that time they did not have the sportive insignia and the exercises leading to that. Furthermore, as far as an SA man was called to State functions during the years 1933 and 1934 they did their dutieis there, but within the ranks of the SA.

Q All right. I think you gave the best answer that you can give. May I take it you have no explanation at all for appearance of this reference to the announcement in the press which gives the appearance of pre-military activities on the part of the SA?

A In the year 1933 and 1934 there was still a remainder of the Reichskeeratorium for the development of the youth in which the SA took part too, and which had all sorts of exercises to make.

Q And what about the next sentence, witness; "I request that you use all possible means in order that such announcements be prevented."

Why should the government be worrying about that at all if it were not because they had something to hide?

A I can give no explanation why the Ministry should have wanted to prevent publicity for those exercises

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which were made by the Wehrmacht and to which SA men were called.

Q I put it to you, witness, that the Reich Minister of the Interior was, during 1934, doing exactly what you are doing this afternoon. He was trying to conceal the military activities of the SA.

A No, I repeat that SA had only sportive and propagandistic duties and if SA men were called to have other functions, and to have military functions which was in the frame of the Wehrmacht, and not in the ranks of the SA.

Q Well, the Tribunal will be able to judge for itself what implications of that document are.

Witness, were you ever connected with the publication or with the editorial staff of the newspaper "Der SA Mann"?

A No, I never had any connection with the editorial staff of Der SA Mann.

Q Well, why do you think you are in a better position than anybody else to know what the functions and aims of these articles are?

A Because I have read part of them and because I have had the opportunity to discuss part of them in the training schools. Furthermore, I worked for a year with the chief of the Reichserzeshungshaupt Amt, the main instruction Amt, which has repeatedly declared

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that he was shocked for the reason of the incapacity of the authors of those articles.

Q Doesn't the newspaper article mean exactly what it says? The newspaper article does not need an expert to interpret it, does it?

A Yes, they were discussed and they were not articles in the ordinary way; they were not regulations, but they were discussed.

Q You see, witness, those articles are intended to be read by several hundred thousand men, and not all those men are going to have the benefit of an expert when they read them. Isn't the plain character of those articles a military one?

A The paper did not belong to the Supreme Command of the SA, but were edited by the Eher.....

Q What is the Eher..... the official publishing house of the Nazi Party. Yes or no?

A The SA could not be made responsible Q Under the title SA Mann contained the words appear the official organ of the SA.

A Yes, those words were written below the title, and the paper was once meant to be an official organ of the Nazi Party, but after 1934 this slowly faded.

A We had only possibility to publish once in a while something in that paper, and later on for our purposes we should have got another newspaper...

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Q Are you trying to say now that if these articles had a military character they still did not represent the policy of the SA?

A The term "military character" is a matter for argument. Because in a paper like the SA Mann, as has happened in many other papers, one can publish instruction sheets from other branches which have nothing to do with the SA itself.

Q That is not the answer to the question I asked. Are you trying to say now, that if those articles did have a military character they still don't represent the policy of the SA?

A Yes, sir... (and he starts explaining)

Q Allright, don't -- we don't want a speech about it.

So you are admitting now that it may well be that some of those articles do have a military character?

A No, I don't admit that.

THE COMMISSIONER: (to the interpreter)

He didn't say that. He just said "no."

BY MR MARECCO: - INT: No.

Q I am putting it to you, witness, by the whole sense of your evidence, is a lie, you know. When you came here to give evidence - from what period of your SA career are you particularly speaking? Are you speaking from the experience gained from the years you were on the staff, that is, 1937 until 1940?

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A (And here the witness rises, determinedly)....
I want to stress the point that I am very well aware of what the prosecutor has said; I am very well aware that I make my deposition under oath, and I may say that I know v ery well what I may say under oath.

THE COMMISSIONER: Is he going to give evidence today on what happened when he was on the staff -- of what period?

[redacted]

WITNESS: I don't understand the question. What topic do you refer to. Now, or what we had today?

BY MR MARRACCO:

Q Between 1937 and 1940, you were one of Lutze's most important staff, were you not?

A I have stated already this morning that from 1937 until 1939 I was chief of the AMT of Welfare, and from 1939 to 1940 until I volunteered in the Wehrmacht I was chief of the AMT Gruppenschulen group training.

Q And were those assignments on the staff of Lutze, SA Headquarters?

A There were assignments on the staff of the Supreme SA Command.

Q And from what date in 1939 were you staff officer in charge of training?

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A I was not a staff officer in charge of training, but I was SA Group Chief and Chief of the AMT Group Schools in the SA.

Q From what date did you hold that assignment?

A From January 1939 until my entering the Army on May 10, 1940.

Q Are you saying that during that period the SA was carrying on no military training at all?

A In such schools as I had to supervise in the years 1939 and 1940, there was no military training, but only training in the sense of what I have described today.

Q And you were supervising all training schools, were you not?

A I have gone from one school to the other but, of course, as we had 28 schools I could only supervise part of them, having been in charge only for one year.

Q But you knew what was going on in those schools?

A I have declaredand stated this morning what has been taught in these group schools and there has not been any other instructions and I have not seen anything else.

Q It would not have been possible for military training going on in those schools without your knowing about it, would it?

A If there had been any military training in those schools I should have known of it, of course, especially

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if I had seen it. It seems quite impossible that there has been anything going on there like that without my knowing about it.

Q Well, then, just look at this letter. (And here the prosecutor hands the witness a document). It is a letter from the Staff Chief Lutze to Rosenberg. It is dated 30 January 1939. That is the month you took over as inspector of training schools.

A Yes, sir.

Q The letter dated 30 January 1939 says: "Dear Party Member Rosenberg. Please accept my thanks for your congratulations incidental to the fuehrer's decree which assigns all pre-military and post-military training to the SA. With the assurance of my continued loyalty as fellow combattant and in comradeship, Heil Hitler, (signed) Lutze."

What have you to say to that letter. Doesn't it find you out in a plain lie?

A No.

Q What is your explanation of that letter? You have told us no training at all was carried on in 1939. And here is a letter written by Lutze in 1939, stating it was going on in 1939.

A The prosecutor seems to make a mistake here. I have declared a half hour ago that the matters leading

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to pre and post-military instructions have been cancelled in October 1939, and have never gone into force. They have been cancelled by the Wehrmacht and the Party organization.

Q Yes, but there is a big difference, is there not, in between October 1939 after the war had started, and in January 1939, which was a year before it started?

A I have stated before that the whole work of organizing this pre and post-military instruction was by no means completed, and that the whole thing was to come into force only in October 1939, that is, after the beginning of the war.

Q That is not what the letter says. And how could the SA have taken over all military training, all military training of the Reich in January 1939 if it did not have already instructions and schools and all machinery of training....

A The SA had not at their disposal this apparatus and these instructions, and that is the reason why only in October the whole thing should have come into force, and why it took such a long time to bring this scheme into action.

Q It is no good talking about October, witness, when the date of that letter is January. Wasn't it a fact that in January 1939 the whole nature of the SA fitted it for the task that the fuehrer's decree assigned to it?

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A No, I have been a soldier and NCO and officer myself, and I am well aware of the duties of having a strictly military task and of having that sort of task as we were able to carry on in the SA.

Q Once again, the Tribunal will be able to adjudge the effect of that letter.

When did you first hear the word "Wehrmann-schaften"?

A I heard of this only after the mentioned date in 1939. As well the meanings as the practical instructions had to be examined first, and we had to know first of all what was to be done.

Q Is "Wehrmannschaften" the name that was used to describe training in accordance with the fuehrer's decree of 1939?

A I have to stress again the point that the whole of these measures, pre-military and post-military measures, were planned only, and were only in the making, and they were understood by the name Wehrmannschaften, but as I said before, the whole machinery was to start only on the 1st of October, and later on was cancelled and adjourned until the end of the war.

Q How can you say that the whole machinery was to start on the 1st of October when you see from that letter that in January 1939 the military training had

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already in the past been assigned to the SA?

A I have already stated that the organization of this pre-military preparation, of this pre-military exercise, was to start with the fuehrer's decree, but as to the individual exercises they were to start only on the 1st of October 1939. Up to that moment the exercises had only the character I have described today.

Q Why were the SA planning in January 1939 to start pre-military training in October of that year, if they did not know that about that time a war would be starting too. You are telling us now, witness, a very different story from the story you told us this morning. This morning you told us that the SA never had any military activities at all. Now, when the documents are put to you, you are admitting the existence of this gigantic militaristic scheme.

A I don't admit anything like that.

Q The word "Wehrmannschaften applied to the whole of the scheme, didn't it? That was the name given the scheme?

A The name Wehrmannschaften referred, and called those men which were to be instructed in compliance with the Fuehrer's decree of January 1939.

THE COMMISSIONER:

Is there any translation of that word "Wehrmannschaften?"

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MR MARRECO:

No, sir, there is not, really -- for this reason: that the word "Wehrmannschaften" cannot be translated, because the word "defensive" does not coincide with the charter of this word.

Q So why did you say on oath this morning that the SA never had any militaristic activities at all?

A I don't understand the question.

Q It is a plain enough question. I am asking you, why you said on oath that the SA never had any military activities at all when you are now describing to us the nature of this Wehrmannschaften scheme?

DR ASCHENAUER:

I want to stress the point that I have already dealt with the question of the Fuehrer's decree of 1939, and it is not correct if it is stated that the witness has not talked of this question.

MR MARRECO:

I see. ... I have no further questions.

THE COMMISSIONER:

This Fuehrer decree, is it in the possession of the prosecution?

MR MARRECO:

No, it is not. It is only referred to in the correspondence referred to.

DR ASCHENAUER:

May I stress the point that the Fuehrer decree

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of January 1939 is contained in the Act of Accusation and, to be exact, in the article of the SA Mann of January 27, 1939.

THE COMMISSIONER:

What is the date of the decree?

DR ASCHENAUER:

January 19, 1939. I will submit this document to the Tribunal. (And here he attempts to show the document to the Commissioner, but the Commissioner says he does not want to see it now, he just wants it on the record.)

THE COMMISSIONER:

Is there any more cross-examination?

COL ORLOV:

Q Have you knowledge of a general regulation, service regulation, for the SA? Please listen to what I am reading to you and tell me whether you know any civil organization that has such regulation as I read to you now: "Article 8. Every superior has the right to use his weapon in order to prevent one of his inferiors to attack him.

"Article 9. He who asks others to refuse obedience to a superior, or to resist him, or to use violence against him, will be severely punished for inciting these acts. Furthermore, if several persons agree to commit together such an act they become res-

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ponsible of mutiny."

DR ASCHENAUER:

I would like to ask whether this document is a part of the Act of Accusation?

COL ORLOV:

Yes.

DR ASCHENAUER:

What number has it?

COL ORLOV:

PS-2820. It has been submitted to the Military Tribunal on December 19th.

DR ASCHENAUER: What was the date of the military regulation?

COL ORLOV:

1933.

Q (~~continuing with his interrupted question or the reading of the regulations...~~), And another sentence: "The getting together of several persons for a common refusal of obedience or resistence or violence against superiors is revolt."

Tell me a civil organization which has such regulations in its charter.

A Such regulations would be contained in the charter of any organization which would want their members which have joined for one thing voluntarily to keep up discipline, and not on the other hand to refuse obedience.

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Q You have not understood my question. Please name one or two of any civil organizations which had such regulations.

A A school has regulations too, and especially interne schools where pupils are detained for one or several hours in a single room, and they have very severe disciplinary measures in those schools.

Q You have just declared that the SA man carried no weapons, for instance, until the year 1933?

A I have declared that until 1933 the SA could not wear weapons, but that after 1933 any German who could obtain a license for a weapon would be allowed to carry a weapon.

Q I misunderstood you. I understood that you said only the chiefs of the SA had weapons at their disposal.

A I have declared that any German who had a license was allowed to carry a weapon.

Q Will you please tell me the difference now between the SA and a military organization?

A The SA was an organization in the first place as an instrument of propaganda...

Q Now, please answer in a concrete way

A The SA was a party organization, whereas the Wehrmacht was a military organization.

Q The SA has the weapon. They had the military

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discipline. They had a charter in compliance with which it is possible to apply resistence... is that true?

A We had those regulations for order because we meant to have ordee and cleanness in our ranks.

THR COMMISSIONER:

Well, the answer is yes, is it?

A I cannot answer with one word this question.

THE COMMISSIONER:

It is a simple question: you have one thing, something else, something else. Is the answer yes?

A It is really two questions, and therefore I have to give two answers.

COL ORLOV:

Q Is it true that the SA men were the most active to take part in anti-Jewish pogroms?

DR ASCHENAUER:

I object to this question because I want to stress the point that the regulations of this Commission provide for the cross examination to be confined only to the question which is the topic of the examination. This has been the topic of the interrogation of the witness Klaehm, and not of the witness Bock.

THE COMMISSIONER:

Is that so?

DR ASCHENAUER:

I ask that the rules of procedure should be examined.

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THE COMMISSIONER:

I am asking the Russian prosecutor whether in fact there was no examination on this question (implying here that he had addressed his previous remark to the Russian prosecutor rather than to defense counsel).

COL ORLOV:

I don't recall quite correctly, but it might be correct. But I think it is of no importance whatsoever.

THE COMMISSIONER:

Very well, then, let's leave it for the moment.

(To the interpreter).. Did you translate my question to the Russian prosecutor correctly, because it is very important that it be understood.

[redacted]

COL ORLOV:

I don't quite remember either whether the defense counsel has asked the witness any question on the topic of the work of the SA in the instruction camps.

MR MARRECO:

He has.

DR ASCHENAUER:

I have only asked questions with regard to

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1933 and questions on the concentration camps Oranienburg and Hohenstein, but not with regard to 1933.

THE COMMISSIONER:

Is there any further examination?

DR ASCHENAUER:

I have only one question. The Russian prosecutor has submitted the regulations of the SA, and I want to ask whether these regulations are in any connection with the regulations for the so-called peoples militia and which have never been executed and which have never gone into effect? or into force?

A I have only knowledge through conversations, that in connection with the plans of peoples militia by Roehm, all sorts of regulations were issued, but that is all I can say about that matter.

MR MARRECO:

Before we adjourn -- I want to make certain the documents I submitted are in the record.

(The documents of concern to Mr. Marreco are Documents PS-3581 and PS-3993.)

DR ASCHENAUER:

I ask that copies of the documents which I have a right to, be handed to me.

(And Dr Aschenauer is given copies of the documents he is seeking.)

Com B
Take 3, page 27
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9 July 1946
Franz Bock

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MR MARRECO: Yes. Here they are.

And the witness was dismissed.

* * *

(a recess was taken)

The foregoing is a true and correct transcript of the testimony of FRANZ BOCK, taken on 9 July 1946.

Bernice Winkler
Reporter (pp 1-8)

Evelyn M. Roberts
Reporter (pp 8-22)

Genevieve Biolsi
Reporter (pp 23-48)

CERTIFIED TO:

Martin Havard
Commissioner

Commissioner

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OFFICIAL TRANSCRIPT OF THE TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

9 July 1946.

COMMISSIONER:

Mr. Martin Haverd

THE SA

(The Commission conveed at 1040 hours)

FRANZ BOCK, a witness, took the stand and testified as follows:

THE COMMISSIONER:

Q What is your name?

A Franz Bock.

Q Will you raise your right hand and repeat this oath?

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath)

COMMISSIONER: You may sit down.

(Off the record discussion - partially translated.)

DIRECT EXAMINATION

BY DR. ASCHENAUER:

Q Before I qestion the witness I shall rectify, as the Commission has accepted yesterday - I shall rectify some of the articles which I want to submit. In their book the prosecution submits the document 3050-PS. The prosecution submits the article "We Were the First"! - relating to the march into Austria. I quote from the article of March 19, 1938 ... "Five comrades of our editorial staff were on the spot when the decision was made. When our troops marched into Austria, they came as forces of the SA while incredible celebration was going on. What they saw and what they left will show in the following paragraphs ....". Same for March 26, 1938, I quote: "On the day of the celebration of Austria, we five comrades from the editorial staff of the SA-Man have corssed the border with the German troops at Mittenwald. We have experienced the joyous celebrationand happiness of this with them, and we have crossed thesea of enthusiasm in the Austrian country." Volume 38 of

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of the SA Mann - both quotations.

Furthermore, the prosecution base their documents on what they call picture in the movement of April 2, 1938, of SA men and of which they see it as a photograph, but which is only a cartoon. Furthermore, the prosecution quoted from the volume 37 of BER SA-Man, July 3, 1937, page 12, the following article "The War of Tommorrow." The prosecution has forgotten here to quote the middle piece which is joining the two articles together, and I quote this part of the article. "Physical ability and characteristic ideological composure have nothing to do with militarism; also no one should see any aggressi conception in the defensive part of the people. The German people refused Bolshewismus and any imperialistic war as one man, but for the defense of the existence and of the security of the Reich, no sacrifice is too great for the German people."

COMMISSIONER: Defense Counsel, have you many documents of this kin

DR. ASCHENAUER: I will submit documents before the questioning of the witness and that the witness is to be questioned and counterquestioned and would be put into cross-examination. I refer to an agreement reached yesterday with Col. Griffith Jones. This is the easiest way to save time.

MR. MARRECO: We had hoped to have our new document 3050-PS ready for this hearing. That document would have facilitated the matter, because Dr. Aschenauer would be able to put the document in thehands of thewitness before putting questions to him. Unfortunately, that document was not ready owing to the work in the translating section. Col. Jones agreed with Dr. Aschenauer that he should read the relevant documents, quoting from the document, the SA-Man, and then question the witness on them. The method that Dr. Aschenauer is now attempting is a laborious one, but it is in accordance with that agreement.

COMMISSIONER: Are the documents you are reading now relevant as far asthis witness is concerned?

DR. ASCHENAUER: The relevancy of this document comes from the document itself, and therefore I should hot have to question the witness as far as those questions are concerned.

MR. MARRECO: Dr. Aschenauer has started to put the questions before the witness before we had a chance to know who the witness is.

DR. ASCHENAUER: The witness has been named a long time ago, so has the topic we are going to refer to.

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COMMISSIONER: Have you got much to read?

DR. ASCHENAUER: As far as substantial articles are concerned, this is the last. All theothers have to be submitted directly to the witness.

COMMISSIONER: We have lost too much time already in this argument. Will you please finish with this article, but in the future I ask you not to lose so much time with the reading.

MR. MARRECO: For the benefit of therecord, because the Tribunal won't have the witness' application before them, I suggest that Dr. Aschenauer identify the witness and tell why he should be able to testify to the contents of these articles.

DR. ASCHENAUER: I state again the witness is being questioned as to instructions and use of force in the SA. Furthermore, he's being questioned as to articles, which, according to theprosecution were meant to instruct the SA men, as to the wearing of the weapons, and which according to the prosecution were the first conditions for bringing about modern warfare.

MR. MARRECO: I don't want to delay the proceedings any more, but what I meant was - wouldn't it be better if he asked the witness about his experiences and situation before he put these questions to him?

DR. ASCHENAUER: I can do that.

Q Since when did you belong to the SA?

A Since 1922.

Q Please give usan account of your career in the SA.

A I entered the SA in Munich in 1922, and I remained an SA man until 1927 or 1928. In the year 1928 I entered Fuehrerlaufbahn, leader career, meaning that I became first Scharfuehrer, then Truppfuehrer, Sturmfuehrer and Sturmbahnfuehrer, and this lasted until 1932. While I was out of work in 1932, I became first adjutant of Obergruppenfuehrers in Koblenz, and with him I went to Frankfurt and Munich, and eventually I became Stabsfuehrer of a group of SA in Regensburg in 1933. In 1934, I took up command of Standartenfuehrers in Trauntstein, Oberbayern. In 1935, I was brigade leader in Dusseldorf. After having passed a short time, then an instruction course offered by Roehm in 1934.

From 1935 to 1937, I was brigade leader in Dusseldorf, and 1936, I was in charge of an instruction course for Sturmbannfuehrer in Dusseldorf. In 1937, the chief of staff, Lutze, called me to Munich at the supreme direction of the SA. My task there was to create, erect and to promote the Amt for social welfare. I first of alldeveloped this division into Amt up to 1939. In 1939, I was transferred from this Amt to the chief Amt of instruction in the SA. In 1940 instructions calmed down, because of the drafting, and I volunteered for the Wehrmacht and did my military service up to 1942. I started in 1940 as a private, and I went up the military scale until 1942, when I was a first lieutenant. Towards 1942 --1943, I was called back to Dusseldorf in the place of the Late SA fuehrer, Knickmann, as chief of SA fuehrer Niederrhein. I had this office until my capture and arrest in Dusseldorf on April 21, 1945. Thatis all I have to say as to my person and my career.

Q Before I continue, I want to come to the document quoted by the prosecution - document taken from the SA-Man, volume 1939 of February 3, 193. page 3. There is following supplement under the picture quoted by the prosecution - Col. General von Brauchitsch, and chief of staff, Lutze, attended the celebration which has been made for them as part of the Berlin SA. I'll question the witness. Were there schools of the SA, places to educate and instruct the SA, in the sense of defensive measures?

A The schools of the SA were instructed as soon as possible for mere SA instructions, which means political soldierdom.

Q What do you mean by the term "political soldierdom"?

A The term 'political soldierdom means an inner and outward composure of the SA man. This includes political conviction, volunteering will for defense, volunteering subordination and volunteering readiness for the people and the State, unwilling composure of character, comradeship andpersonal cleanliness in parson and in the family.

Q Is the term soldierdom to be understood as a military term or as a moral conception?

A The term soldierdom includes the volunteering, and according to our conception, and as we have taught the SA man, is a moral conception.

Q What was turned into the spotlight - was the term of soldierdom - was it the moral conception or the military point?

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A It is just because the term and concepti n of soldierdom promoted the moral side - it is only this moral side that can be considered as meaning of soldierdom.

Q What was the meaning of the supreme command of the SA to the "defensive ability"?

A The supreme command of the SA considered that defensive ability was an inner readiness to defend oneself in all situations of life. This instruction or education has nothing to do with any military education or instructions. This includes the fundamental education of the soldier, the instruction with the weapon, and the use of the weapon, and the instruction for battle, and in short everything that is concerned with the general military instructions. For the officers, it is the higher military education, the command, the coordination of different weapons, and the coordination of the weapons of the Army and Air Force. This military education was the only concern of the Wehrmmacht, and it is only the Wehrmacht that dealt with those measures, both during the term of military service and during the instructive exercises.

Q That means that the SA had nothing to do at all with the technical side of the weapon education - that means with military education -- as the term is considered?

A No, with this military education and technical education of the weapon, the SA had no concern at all.

Q In that case the quotations ofthe prosecution that the SA was the basis for the military readiness, is to be considered only in the sense of defective ability?

A Yes.

Q Is the retaining and maintaining of the defensive ability and militarism the same thing?

A No, there is a fundamental difference between the two. No, maintaining of defensive ability means the maintaining of the moral defensive powers of the people, whereas, militarism is to be considered the arming of the people or the bad forms of the military regime and theoppressing regime.

Q What is the meaning of the expressions quoted by the prosecution, such as fanatic love of the fatherland --- education to high willof aggressiveness - meaning boys trained for sport?

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A These expressions taken together mean themoral readiness for defense, because fanatic love of the fatherland is without a doubt thebest expression of the will of the defense of the people. Education for a high will of aggressiveness means for us just this - defensive power, and boys training in sports are the expressions of that same education.

Q In what connection do you consider these quoted words or expressions?

A These expressions are in connection with our sport education - such as we have taught them in the schools and in our units, and furthermore, the Fuehrer said in his book "Mein Kampf", Chapter 9, dealing with organization and says of the SA, the following words - he, the Fuehrer, refused any meaning and any sense of the SA as military or free corps.

MR. MARRECO: We are quite capable of reading for ourselves of what the fuehrer said in Mein Kampf. This is quite irrelevant.

DR. ASCHENAUER: I want to state that this is the part of the book which the prosecution has not referred to, but all the other parts have been referred to.

COMMISSIONER: The witness is here to answer the questions. He is not here to give a lecture and we ask him to confine himself strictly to answers which may be of interest to the Tribunal.

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DIRECT EXAMINATION - (Continued)

BY THE COMMISSIONER:

The witness is here to answer the questions. He is not here to hold a lecture and I ask him to confine himself strictly to asnwers which may be of interest to this Tribunal. Dr Aschenauer, will you please pass on to the next question?

BY DR. ASCHENAUER:

It is my contention that this answer rectifies sentences which have been quoted by the prosecution. I'll now continue.

Q. Is the wish of decense to be considered the same as the wish to make war or only the wish to master the difficulties of life?

A. One can not assimilate the wish for an aggressive war or aggressive power with such measures as we hawe given to master the common difficulties of life.

Q. What was the reason for the Supreme Command of the SA to promote the physical and moral readiness for defense?

A. The reason for promoting this wish for defense was to be found first in the idea of keeping up the moral strength and defensive power in the man. We were quite able to see that after the War of 1918 and after the economic breakdown there had been deterioration of the German people altogether and that furthermore moral corruption was shown by the erection of so many groups and groups of interest and the operating of so many powers.

BY THE COMMISSIONER:

It is not the task of the witness to justify the actions of the SA. He is only to quote them.

BY DR. ASCHENAUER: I now continue.

Q. What is the difference between the defensive education as carried out by the SA and military instruction as dealt with by the Wehrmacht?

A. Our defensive education dealt with the moral and spiritual composure of the people, whereas the military instruction consists in an education bound to be only on the merely technical basis and always according to the military necessities.

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Q. Did the Supreme Command think in this connection about an aggressive war?

A. We could not and we did not think of an aggressive war because we were aware that all around Germany we had open borders and that we had no reserves. Furthermore, I want to stress the point that as from 1934 public opinion was always more concerned with the friendship between people and bringing people even more together. I want to stress furthermore the fraternization which became almost all the more obvious between the ex-service man; between German youth with foreign youth, between German workers with foreign workers.

BY MR. MARRECO:

The witness is still speaking in general terms. His remarks are not concerned solely with the SA.

BY DR. ASCHENAUER:

I am of a different opinion, but I am not going to state.

BY THE COMMISSIONER:

I repeat that the witness is to talk of the actions of theSA and he is not to justify those actions and he is not to give us the propaganda possibilities of the SA.

BY DR. ASCHENAUER:

I amy call the attention of the prosecution to those remarks which were contained in the prosecution's statement as to the character of the SA. This is the reason why the actions and the reasons for those actions are to be examined and the witness is to answer on those grounds.

Q. Why was the term combat instruction and soldeir's spirit placed in the spotlight? I ask the witness to be short.

A. The combat instructions had to be placed in the spotlight because it is a scale for efficient action. The soldier's spirit remained for us just an example of the efficiency.

Q. What were the means placed in the spotlight in which you call combat instruction?

A. These means were sport and instruction for combat.

Q. Why had the SA to wear a uniform which, according to what the

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prosecution said, was in line with military function?

A. In order to distinguish them from other organizations the SA had brown shirts. This brown shirt had to be secured by every individual and furthermore the SA men wore army pants of bright colors and the cap was a different color. It is just those bright colors and the little practical value of the uniform which make it, beyond all doubt, that the uniform can not be compared with the military uniform which is in grey and which is very practical.

Q. Did the SA have weapons at their disposal?

A. As the Fuehrer had sworn the legality oath at Leipzig, according to this oath the SA did not have weapons at their disposal and were forbidden to wear them during the fighting. As from 1933 all SA, but especially the leaders of the SA got honor daggers. As from 1933, SA leaders, as well as any other German citizen, were able to secure a pistol provided they had a license for it. The daggers for the SA were rather difficult to secure and therefore even as late as 1945 part of the SA had no daggers at their disposal.

Q. The prosecution submits as a proof of the military character of the SA, an article published in volume 1934 of the SA Mann under the date of February 10, 1934, page 7, an article entitled "The March". Is that a military article? I ask the court to have a little recess because I have to get some documents.

BY THE COMMISSIONER:

There will be a recess of 10 minutes.

(Commission recessed 1145 and reconvened at 1200 hours)

BY THE COMMISSIONER:

Dr. Aschenauer, I have consulted with Col. Neave regarding the time allowed the defense counsel to hear the witness. It is left to the president of the commission to limit this time. The defense counsel is permitted to use more than the allotted time of 3 hours if the testimony is of the highest interest to the Tribunal. The questions put up to this point did not contribute anything new to the case of the SA as far as the Commissioner is

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concerned. On the other hand, the witness uses up too much time giving irrelevant answers and making propaganda speeches. The defense counsel has permission to hear the witness till one o'clock. This afternoon we will have the interrogation and I shall ask the defense counsel to please put only such questions as are of the highest interest during the hour still left to it

BY DR. ASCHENAUER:

I wish to make the following statement for the record. The questions in hearing to this problem have not been raised yet. All the efforts of the Secretary General were unable to produce the most important witnesses until now. That is why ten, that is to say more than half of the intended witnesses could not be here. That is why the limitation of my time until one o'clock puts a limit on my defense which is not justified. In fact I object. I shall consequently instigate to submitting the entire questions pertaining to the SA in open court. I want to state the following: we have the last witnesses. These witnesses are not present, and my hearing is being limited. I consequently consider the hearing as guaranteed by the statutes as not having taken place.

BY THE COMMISSIONER:

I always can revoke my decisions if I decide that it is a good thing to do and if between twelve and one o'clock I find that the hearing is relevant of course I shall give the time necessary to make your point in the hearing, but if the hearing goes on the way if went on this morning it will be finished at one o'clock.

BY DR. ASCHENAUER:

I may point out that I have permission to examine the articles of the Document 3050-PS. I shall stand on this right since just because of this examination a hearing which took place some weeks ago was interrupted.

BY MR. MARRECO:

That is quite true. He has permission to examine the whole of 3050, and in my summation he can do it in one hour.

BY DR. ASCHENAUER:

But I also have questions pertaining to training and education.

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BY THE COMMISSIONER:

I shall stick to my decision. Will you please start your questioning Dr. Aschenauer?

BY DR. ASCHENAUER:

Q. Witness, is this a military article? (Article of Feb. 10, 1934, p.7).

A. This article deals simply with hygienic methods to be observed on a march. As for instance, care of the feet.

BY MR. MARRECO:

I should like to interrupt once more, to say that this article speaks for itself. We are as capable as the witness is as to whether this is a military article or not. It is obvious that it is a matter of common sense. We do not want the witness to tell us what a military article is, we all know a military article when we see it.

BY DR. ASCHENAUER:

May I point out here that the prosecution has submitted only the titles of these articles. When I read this article I found that its contents were not of a military kind. If I am not permitted to examine this article for the record the prosecution must submit all these articles in translation.

BY MR. MARRECO:

That is exactly what it is doing. The new document 2471 will contain these articles, set out in full. That was agreed by the prosecution at the previous hearing of these witnesses.

BY THE COMMISSIONER:

I think we are losing too much time. The Tribunal has secretaries at their disposal who are reading these documents and verifying them and without argument about something which I know nothing about, I must share the views of the prosecutor that we do not need the witness to tell us whether or not this article is a military one.

BY DR. ASCHENAUER:

On the assumption that these documents will be finally submitted in their entirety I am willing to give up here the hearing of these articles in this session. However I reserve the right to submit them to the witness at that

H1042-0062

time. I also must say that my procedure has been approved before this commission here was sitting. I am very much surprised at the objections taken by the prosecution today.

BY THE COMMISSIONER:

The prosecution does not object to the submission of the documents but rather does he object that one document takes up so much time.

BY DR. ASCHENAUER:

Q. In short, no more than a hygienic article. Now we come to the articl "Pistol shooting Sport". I ask you to read the first paragraph and to state whether it is military?

A. The first paragraph reads as follows: "Please do not let the title make you believe that there are any thoughts of rearmament. This is to tell only a little bit of a sport which unfortunately is little enough known".

Q. The next article submitted by the prosecution is entitled "Flame Throwers at the Front." I ask you if that is a historic souvenir article or a literary article?

A. An article of souvenir from the World War.

Q. The prosecution submits as a military article the article entitled "The Marching Steps of the SA are Resounding on the Streets of Liberated Is that a military march or a propaganda march?

A. This is a propaganda march as always was undertaken during the time of struggle.

Q. Further, the SA submits the article as "Arbrigate 6" -- "March for the German Danzig" in order to prove the military side of the SA. Is that an election propaganda march or a military march?

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A It can only be a propaganda march because of an inspection of the SA.

Q The Prosecution submits the article entitles "Sport as Military Training". Is that the sport within the SA or the military sport?

A. to judge by the title and the picture, it is obviousl the Army sport depicted here.

Q. The Prosecution submits the article with the title : "Whoever fights us we will beat him down; whoever provokes us we will attack him." I am asking you is this a military article or is this an article pertaining to the church program?

A This is a political article, one paragrph of which reads as follows: "If I refer in this connection to the so-called church struggle I do this somewhat against my will. We are a politically ideologic group."

Q The prosecution submits the article entitled "From the place of work to the machine gun dreyse." The prosecution wishes to prove its instroduction of machine gun. I ask you is that a souvenir of a police man who entered the Wehr or is that a training article of the SA?

A This is simply a story of a SA, of his experiences while he was in the Wehr.

Q The prosecution submits the article entitles "SA Mann as a border guard". The prosecution wishes to prove the military function of the SA by that. I ask the witness whether this article tells of the experience of an SA man who was drafted as an auxiliary police?

A Judging by the 2nd paragraph, this deals only with the personal experiences of an SA man who was drafted as an auxiliary policeman or as a border guard.

Q The Prosecution submits the article entitled "Return

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to the brown shirt from the field blue tunic" and wishes to prove by that the military training of the SA. That is why I am asking the witness whether this is an article telling of the experience of an SA man who returns to the Sturm?

A The subtitle shows clearly that it is a matter of the year in which he was serving in the Wehr and he tells his comrades of his experience in the Wehr.

Q The prosecution submits an article entitled "SA man at the heavy machine gun". I ask you whether it deals with machine gun instruction given by the SA or the Wehr?

A By the Wehr.

Q A humorous article entitled "SA Duty in the Air". I am asking you whether this article deals with the training training of the SA in aviation or whether it deals with a visit to the airport at Tempelhof?

A The SA never gave any flying training. Besides the article tells the story of a visit at an airfield.

Q The prosecution submits an article entitled "SA". On the basis of this article the prosecution concludes that the SA executed field manoeuvres. I ask whether the article shows that?

A There were no field manoeuvres in the SA. It deals with the SA training within the frame of the SA sport insignia.

Q Does the article entitles "Speed, Safety and without Error" deal with the same thing?

A Yes, it deals with the same thing but with larger sport contests which took place within the framework of this sport insignia.

Q The prosecution also submits an article called "Youth Training and Wehr Education" which is education of militant spirit at the great powers. I am quoting a sentence in order that

H1042-0065

I may ask in regard to Soviet Russia: "The youth between 15 and 19 has obligatory instruction in schools and in units instructions in rifle, machine gun, field manoeuvrs, combat shooting, gas combat and throwing of hand grenades." Did the SA intend that sort of militant state instruction?

A That sort of military instruction was not intended in the SA.

Q The SA Mann, on the basis of chargesby the prosecution contains articles regarding gas, combat and chemical warfare. Were those articles of general interest or were they instructio articles?

A They were only articles of general interest.

Q Witness, you have answered the SA has no arms. What about the article eight which was submitted by the prosecution containing the training order with use of weapons?

A The SA had to take over these regulations because it was used after the seizure of power for state functions such as auxiliary police. Besides the SA leader did have a pistol and he had to know how to make use of it in case of self-defense.

Q If the SA was unarmed, why is it, as the prosecution charges, the SA was called the strongest arm of the movement?

A The term can only be understood in a figurative sense During the time of struggle our organization was the only one which did the most efficient protection. After the seizure of power we were still the strongest organization of the movement

Q Isn't that wh the SA is organized from Schar to Obergruppe? Doesn't this organization prove the contention of the prosecution that the SA is a military or anization?

A Every organization must have its sectors, and the way ours is organized took place in the years 1930 to 1931 from Schar, Trupp and Sturm. Numerically the different units differed in all the different areas and they also differed accordin

H1042-0066

to the time. There couldn't have been anything astounding to a more organization.

Q Why did the SA form special units like navy, engineers, aviators and mounted units?

A Those special units we have formed in order to make concessions to the technical and landsmannschaftlich interests. In the second place in order to provide for our propagandist appearances at celebratins and to see that our appearances at those meetings took place without friction.

Q How about theplan of duties in the motor, marine and aviation units?

A The plan of duty substantially resembled that of any marching group of SA only there were people who had the opportunity of technical advantages and the ability to provide for themselves those things. A technical procedure developed by and by, for instance where comm unication is concerned When a big meeting took place it was necessary to have the entire place surrounded by telephones so that they could see marching columns.

Q. What was the task of the music roups?

A The music platoons were the best medium of propaganda for our marches. Besides music provides the rythm necessary for a marching group.

BY MR. MARRECO:

The prosecution is not interested in the music for a band; we are interested in the aims of the SA. It is irrelevant.

BY DR. ASCHENAUER:

I am asking because the band is under the charges of the prosecution.

H1042-0067

Q. Why did the SA issue drill regulations?

A. In order to make sure of a decent looking picture which could be provided for only by markching and discipline.

Q. Did the training regulations of the SA correspond to that of the Army?

A. The training regulati ns of the SA were pertaining only to those parts needed for the propaganda ma ..

Q. What carried the most weight while the SA was drilling?

A. The most weight was put on good body posture, marsh discipline and marching order.

Q. What substantial differences do we find when we compare the training regulations of the SA and of the Army?

A. I just said that out train ng regulations was there only to provide for decent marching and discipline. The military training regulations contain the use of arms and mainly the forms of combat and the order of combat.

Q. When and where did duty with gas masks take place?

A. Duty with a gas marsk could take place only within the frame of service with the Wehr insignia, and in case of employment in some disaster, for instance - forest fire.

Q. Did the training on signal devices have any military signigi-cance?

A. The blinker device is merely an extension of the telephone, it was to be put in use only in cases of diaster if the telephone wires got hot or otherwise blown down. On the basis of my activity as brigade leader I can state that most of these blinkers were constructed by the men themselves and I know that we needed them in order to overcome difficulties as I mentioned before.

Q. But youwill admit that such activities do play a part in the defense of the country?

A. Certainly, as perhaps all functions of civil life play a certain part during war time. In this way the Wehrmacht also needs shoemakers, tailors, and technicians. Modern warfare encompasses all the functions of modern life.

Q. The military has relief officers. The SA had created relief for the wounded and other insurance. Is the reason the same as that in the military? What was the cause?

A. The SA did not have the same reason for it as the army had. Our relief was only due to the tremendous terror which emanated from the political fight. Besides our sport activities brought a considerable number of sport accidents of all sorts. That was why we had created a relief organization which we paid for out of our own funds in order to be able to assist those poor, and poor who were marching in all lines.

Q. Is your concept of the non-military function of the SA not contradicted by the construction of reserves and of training sturms?

A. Our reserve came about as follows. After the seizure of power, the large complexes of all sorts of organizations came to the SA. By this tremendous growth , and the duties which SA men had to fulfill in other servies, a unified service could not be formed. That is why we created reserves, in order to find a place for those who were no longer able to do those duties and those who were too old. Most of the SA reserves disappeared in time, partly because of the numerical reduction in the SA. The training sturms, however, were used to train leader . Mainly only created in order to receive those men without uniforms who came to us from other organizations.

Q. The army has the military academies, the SA had for the training of leaders, leader schools, group schools and riding schools. Were these schools of a military character?

A. Our leader schools had no military character whatsoever. Their only reason for being was that they were to train leaders in line with out SA attitude.

Q. Will you describe the school program?

A. I will be brief and give a summarized school program. The sub-leader schools mostly were week-end programs and lasted only a few hours. These

H1042-0068

weekend schools gave the sub-leader a certain elemental instruction. These men were trained in how to handle their men in regard to propaganda, uniform, etc. They also discussed road geography, and topics of the day. The group schools were institutions for the sturm leaders. These schools served for forums of discussion in respect to the uniform organization of the SA organizations in the entire Reich. Besides the Reich leadership came to these leaders for reports on how to practically exhibit the(omitted) (word) Mainly it was the intention to achieve a certain unification of all the groups from north to south, east to west. Later on instruction in discipline and in sport and Wehr insignia was included. Generally, however, these schools served us to examine and recognize the efficiency, aptitude and general knowledge of the leaders. The Reich schools, which include primarily the Reich leader schools and then the leader schools in Dresden and in Vienna, were schools to examine and to train the middle and higher corps of leaders. Substantially the program contained instructions pertaining to the marches, organization and other things of importance. Secondly, matters of the sport and Wehr insignia and how to organize it.

BY COLONEL MEAVE:

Mr. Martin-Havard and I have just discussed this hearing. Dr. Aschenauer, how many more questions do you have?

BY DR. ASCHENAUER:

I have approximately 20 or 22 more questions pertaining to documents of charges submitted by the prosecution.

BY COLONEL MEAVE:

Dr. Aschenauer, a lot of the material already brought out has been irrelevant. Mr. Marreco, do you want to cross-examine?

MR. MARRECO: My cross-examination will take about 20 minutes.

COLONEL ORLOV: I have only a few questions.

COLONEL MEAVE: We will give both the prosecution and the defense a half hour each and will hear the next witness at three o'clock.

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H1042-0070

DR. ASCHENAUER: I will be through with this witness in a half hour.

COLONEL [illegible]: If the three hour ruling is not strictly adhered to in respect to the witnesses for the S[illegible], it will be quite impossible to finish by the end of the week, which the Tribunal has instructed us to do.

(Commission recessed until 1400 hours)

(The Hearing Reconvened at 1400 Hours)

THE COMMISSIONER:

I understand that at the adjournment awhile ago it was agreed that the remainder of the hearing of this witness should take one-half hour. All right, then, it's a half hour for each side.

BY DR. ASCHENAUER:

Q Witness, is the statement of the prosecution correct, according to which in three schools of the SA - which means Reichfuehrer schools - twenty-two to twenty-five thousand offic have been instructed. Is that correct?

A No. I have received my military instruction in 1940 as private with the Wehrmacht.

Q In Document 3125-PS, so-called Lehrscheinabzeichen, meaning forms for instruction and aid, are mentioned. What was the duty of these candidates who filled out these forms?

A The candidates who filled in the Lehrscheinabzeichen, that is, the instruction forms, were taught necessary exercises for maintaining SA sport insignia; as to the candidates who filled in the examination forms, they were instructed as to the civil examination they had to go through.

Q And what were the main features of this examination?

A Both forms were merely papers in order to get through this disciplinary examination.

Q Why does this document mention training in combat on the broadest possible basis?

A Training in the front, training in combat, means

H1042-0071

training in all the superior groups sturm, and not in smaller individual groups; and on the largest possible basis means that all the sturms have to be reached by that training.

Q (It was impossible for the reporter to discipher the interpretation of this question - but here are skeleton notes:) For the SA Mann of 3.2.39, according to Document 3050-PS, the SA Mann of the Gau Franken..... ..with carbine. Are you telling us the real facts about that?

A The only explanation I could find for this would be that this was a company ready to obtain the defensive insignia and which had..... with Tunisia and on the lodge they might have been shooting exercises with small caliber carbines.

Q The prosecution submits in Document 3050-PS, under page of instruction Ausbildung, the following articles: Shooting exercises of fusileers and ranges of company in combat. The first (a) Luftwaffe, the first alphabet of Anticircraft, drill and command, the first instructions for gas warfare, the carbine No. 98, the battalion combat, the pistol 08, the shooting exercises with small caliber carbines, and exercises for groups of cavalry. Are these military articles exceeding the frame of the SA?

A They could not....(interruption)

COLONEL ORLOV: The witness should talk more slowly because I do not understand....

WITNESS: These articles did not belong into the frame of the SA. Therefore, could not exceed this frame. These articles were merely reprinted in these newspapers in the same way as they were in any book shop for instruction and for first-hand instructions.

BY DR. ASCHENAUER:

Q What was the aim of the articles of sport in the free air, map reading, knowledge of maps in general, and that sort of thing?

These articles contained measures of discipline and regulations of the defensive sport insignia of the SA-Wehrabzeichen.

They give regulations that are contained in these forms.

A These disciplines were meant to sharpen the minds of the individuals and to bring the SA leaders to take their men out in the open and make them familiar with the nature, not alone in order to carry out this discipline in the outdoor.

Q In the article of 1938 the prosecution declares that the book shows that in that article is shown the SA marching along. Was there any SA formation carrying-ons and what does the picture which has been mentioned, mean?

A In my opinion this book could only show a formation of units of SA men on their way to a shooting exercise with small calibre carbines in the frame of the SA sport insignia.

Q Have the defensive sport insignia or S[illegible] insignia chosen other exercises mentioned in their program, such as are mentioned for the olympic sport insignia?

A In their main views the discipline used in the SA sport insignia and in the defensive sport insignia were the same as those mentioned in the olympic sport program, such as riding, shooting, cross country and steeplechase. Should we have been able to execute our plans in regard to the grand national socialist parteitag and the sport contest which we planned for this, in that

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case we wanted to extend in a large measure the exercise mentioned above. It was for this reason that the Reich sport leader Tschammer had been appointed for the national socialist sport context.

Q Under the 27th of January 1939, page 2, the prosecution has submitted an article in which they mention the SA as a juncture, as a joint between the Party and the Reichswehrmacht. What does that mean?

A The headlines of this article are, to my opinion, only to mention the pre and post-military exercises with which the SA has been put in charge by the Fuehrer in 1939. These headlines have very often not been chosen according to the sense of the decrees. It is an established fact that if these pre and post-military exercises had existed already in 1939 it is only after the beginning of this war that the whole organization leading to the exercises has been created and established. As far as I know these pre-and post-military exercises which were to begin in October 1939 have later on been cancelled again by the government and by the Party organizations. Therefore, as from 1934 until 1939 our exercises confined themselves only to exercises leading to the defensive sportinsignia and the SA sport insignia and was kept strictly sport.

Q You mean to say that the order of 1939 was cancelled and did not go into effect?

A Yes.

Q The prosecution has stated that the disciplinary measures within the SA, as the forbidding of the wearing of uniform, or confinement to quarters, or reduction in rank, punishment with jail sentence, could only show as coming from the military character of the SA. What is your opinion on that question?

A The punishment within the SA had to be what they were in order to keep those and the organization clean. Confinement to quarters was provided for, but there was no provision for imprisonment, and even such confinement to quarters, as far as I recall, as far as I had to decide, has never been executed.

Q The prosecution has stated that by the facilities of the SA, 800,000 men were equipped and instructed for warfare. Is that correct?

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A No. In Germany the compulsory military service existed and at the beginning each German, whether he was a member of the SA or not, had to report to the military quarters and was drafted accordingly, unless he volunteered.

Q The last two questions.

The prosecution have based their document of Dr. Gisevius as witness for the prosecution, which has started the problem of the so-called Heldenkeller (Hero Cellar). What have you to say on this so-called measure of consolidation of the Nazi power. What was the position of the Supreme Command of the SA with regard to that problem?

A I have been in1933 and 1934 as adjutant and staff leader with groups and super groups and Obergruppenfuehrers of the SA, and I have never seen anything of these institutions. But I know that the chief of the SA and especially Lutze always told me that he refused any executive measures as to the SA, and I know even that all these SA chiefs who have been responsible for overstepping their duties have been severely punished and dismissed from the SA.

Q In this connection the prosecution has pointed out the case of Hohenstein and Oranienburg. What do you know of these cases?

A As to Hohenstein I know that in that place SA leaders which were guilty of abuses have been condemned to long terms of imprisonment and have been dismissed from the SA; and as to Oranienburg, the chief of this camp -- who was either Sherkner or Super Group Leader Schaefer -- during several talks we had, that he had conducted this camp according to regulations and had even written a book according to this camp. At that time when I had this talk with him Schaefer was the chief of the penalty execution of the Reichs Justice Ministry of the Camps of the Emsland. And he pointed out that he had reached the confidence of the Minister of Justice Guertner because of his good collaboration with his men, with the SA leaders.

Q Should Guertner have appointed Schaefer if he had been responsible for anything out of the order?

A I do not think so, because Guertner was known as a very conscientious man in the Ministry of Justice and I do not think he would have

H1042-0075

accepted Schaefer if Schaefer had been responsible for any abuses there.

* * * * * * * * * *

CROSS-EXAMINATION.

BY MR. ANTHONY MARRECO:

Q Witness, I am not going to waste long with you I just want you to look at two documents, if you will. Let's look at this document. This is a letter from the Reich Minister of the Interior, to the Reich Minister for the Enlightenment and Propaganda in Berlin, in July 1934. He says: "With reference to unauthorized press releases about military matters, despite very frequent references made to this, it has up to now been impossible to provide that those announcements in the press which may give the appearance of military activities of the SA and SS be withheld."

And in the next paragraph he says: "I respectfully request that you use all possible means in order that such announcements be prevented..."

Why should the German press be reporting the pre-military activities of the SA if they did not exist?

A This is only an order from the chief... (interruption).

Q All right, I am not asking what this is. I am asking: Why should the German press report a pre-military activity of the SA if they did not exist?

A I have stated this morning that in the SA there were only exercises for sportive reasons, unless the SA Mann in question should be called for State functions.

Q I heard you say that this morning.

Now, look here, witness, I would be very obliged if you will answer my question in a very straightforward manner. This is a letter from the Ministry of the Interior to the Ministry of Propaganda, and there is no question of the bona fide of the document. I am asking you if you can give any explanation as to why the German press should be reporting the pre-military activities of t SA if such activities did not exist at all. If you can't give any explanation at all, say so.

A I can only give the following explanation: First of all, in this document there is reference made to SS units which were at that time engaged

H1042-0076

in having a contest, a unit contest. I declare again that the SA had only sportive and propagandistic tasks, and at that time they did not have the sportive insignia and the exercises leading to that. Furthermore, as far as an SA man was called to State functions during the years 1933 and 1934 they did their duties there, but within the ranks of the SA.

Q All right. I think you gave the best answer that you can give. May I take it you have no explanation at all for appearance of this reference to the announcement in the press which gives the appearance of pre-military activities on the part of the SA?

A In the year 1933 and 1934 there was still a remainder of the Reichskeeratorium for the development of the youth in which the SA took part too, and which had all sorts of exercises to make.

Q And what about the next sentence, witness: "I request that you use all possible means in order that such announcements be prevented."

Why should the government be worrying about that at all if it were not because they had something to hide?

A I can give no explanation why the Ministry should have wanted to prevent publicity for those exercises

which were made by the Wehrmacht and to which SA men were called.

Q I put it to you, witness, that the Reich Minister of the Interior was, during 1934, doing exactly what you are doing this afternoon. He was trying to conceal the military activities of the SA.

A No, I repeat that the SA had only sportiveand propagandistic duties and if SA men were called to have other functions, and to have military functi ns which was in the frame of the Wehrmacht, and not in the ranks of the SA.

Q Well, The Tribunal will be able to judge for itself what implic ti of that document are.

Witness, wereyou ever connected with the publication or with the editorial staff of the newspaper, "Der SA Man"?

A No, I never had any connection with the editorial staff of Der SA-Man.

Q Well, why do you think you are in a better position than anybody else to know what the functions andaims of these articles are?

A Because I have read part of them and because I have had the opportunity to discuss part of them in the training schools. Furthermore, I worked for a year with the chief of the Reichserzeshungshaupt Amt, the main instruct ion Amt, which has repeatedly declared that he was shocked for the reason of the incapacity of the authors of these articles.

Q Doesn't the newspaper article mean exactly what it says? The newspaper article does not need an expert to interpret it, does it?

A Yes, they were discussed and were not articles in the ordinary way; they were not regulations, but they werediscussed.

Q You see, witness, those articles are intended to be read by several hundred thousand men, and not all these men are going to have the benefit of an expert when they read them. Isn't the plan character of these articles a military one?

A The paper did not belong to the Supreme Command of the SA, but were edited by the Eher ....

Q What is the Eher ..... the official publishing house of the Nazi Party. Yes or no.

A The SA could not be made responsible.

H1042-0077

Q. Under the title SA Mann contained the words, appear the official organ of the SA.

A. Yes, those words were written below the title, and the paper once was meantto be an official organ of the Nazi Party, but after 1934 this slow faded.

We had only possibly to publish once in a while something in that paper, and later on for our purposes, weshould have got another newspaper ...

Q. Are youtrying to say now that if these articles hada military character they still did not represent the policy of the SA?

A. The term "military character" is a matter for argument. Because in a paper like the SA Man, as has happened in many other papers, one can publish instruction sheets from other branches which have nothing to do with the SA itself.

Q. That is not the answer to the question I asked. Are youtrying to say now, that if those articles did have a military character they still don't represent the policy of the SA?

A. Yes, sir .... (and he starts explainming)

Q. Allright, don't -- we don't want a speech about it.

So you are admitting now that it may well be that some of those articles do have a military character?

A. No, I don't admit that.

THE COMMISSIONER: He didn't say that. He just said "no".

INTERPRETER: No.

BY MR. MARRECO:

Q. I am putting it to you, witness, by the whole sense of your evidence is a lie you know. When you came here to give evidence - from what period of your SA career are you particularly speaking? Are you speaking from the experience gained from the years you were on that staff, that is, 1937 until 1940?

A. I want to stress the point that I am very well aware of what the prosecutor has said; I am very well aware that I make my deposition under oat and I may say that I know very well what I may say under oath.

THE COMMISSIONER: Is he going to give evidence today on what hap when he was on the staff -- of what period?

H1042-0078

WITNESS: I don't understand the question. What topic do you refer to. Now, or what we had today?

BY MR. MARRECO:

Q Between 1937 and 1940, you were one of Lutze's most important staff, were you not?

A I have stated already this morning that from 1937 until 1939 I was chief of the Amt of Welfare, and from 1939 to 1940 until I volunteered in the Wehrmacht, I was chief of the Amt Gruppenschulen group training.

Q And were those assignments on the staff of Lutze, SA Headquarters?

A There were assignments on the staff of the Supreme SA Command.

Q And from what date in 1939 were you staff officer in charge of training?

A I was not a staff officerin charge of training, but I was SA Group Chief and Chief of the Amt Group Schools in the SA.

Q From what date did you hold that assignment?

A From January 1939 until my entering the Army on May 10, 1940.

Q Are you saying that during that period the SA was carrying on no military training at all?

A In such schools as I had to supervise in the years 1939 and 1940, there was no military training, but only training in the sense of what I have described today.

Q And you were supervising all training schools, were you not?

A I have gone from one school to the other, but, of course, as we had 28 schools, I could only supervise part of them, having been in charge only for one year.

Q But you know what was going on in these schools?

A I have declared and stated this morning what has been taught in these group schools and there has not been any other instructions and I have not seen anything else.

Q It wouldnot have been possible for military training going on in those schools without your knowing about it, would it?

A If there had been any military training in those schools, I should have know of it, of course, especially

H1042-0079

H1042-0080

if I had seen it. It seems quite impossible that there has been anything going on there like that without my knowing about it.

Q Well, then, just look at this letter. (And here the prosecutor hands the witness a document). It is a letter from the Staff Chief Lutze to Rosenberg. It is dated 30 January 1939. That is the month you took over as inspector of training schools.

A Yes, sir.

Q The letter dated 30 January 1939 says: "Dear Party Member Rosenberg. Please accept my thanks for your congratulations incidental to the fuehrer's decree which assigns all pre-military and post-military training to the SA. With the assurance of my continued loyalty as fellow combattant and in comradeship, Heil Hitler, (signed) Lutze."

What have you to say to that letter. Doesn't it find you out in a plain lie?

A No.

Q What is your explanation of that letter?

You have told us no training at all was carried on in 1939. And here is a letter written by Lutze in 1939, stating it was going on in 1939.

A The prosecutor seems to make a mistake here. I have declared a half hour ago that the matters leading to pre and post-military instructions have been cancelled in October 1939, and have never gone into force, they have been cancelled by the Wehrmacht and the Party organization.

Q Yes, but there is a big difference, is there not, in between October 1939 after the war had started, and January 1939, which was a year before it started?

A I have stated before that the whole work of organizing this pre and post-military instruction was by no means completed, and that the whole thing was to come into force only in October 1939, that is, after the beginning of the war.

H1042-0081

Q That is not what the letter says. And how could the SA have taken over all military training, all military training of the Reich in January 1939 if it did not have already instructions and schools and all machinery of training.....

A The SA had not at their disposal this apparatus and these instructions, and that is the reason why only in October the whole thing should have come into force, and why it took such a long time to bring this scheme into action.

Q It is no good talking about October, witness, when the date of that letter is January. Wasn't it a fact that in January 1939, the whole nature of the SA fitted it for the task that the fuehrer's decree assigned to it?

A No, I have been a soldier and NCO and officer myself, and I am well aware of the duties of having a strictly military task and of having that sort of task as we were able to carry on in the SA.

Q Once again, the Tribunal will be able to adjudge the effect of that letter.

When did you first hear the word "Wehrmannschaften" ?

A I heard of this only after the mentioned date in 1939. As well the meanings as the practical instructions had to be examined first, and we had to know first of all what was to be done.

Q Is " Wehrmannschaften" the name that was used to describe training in accordance with the Fuehrer's decree of 1939?

A I have to stress again the point that the whole of these measures, pre-military and post-military measures, were planned only, and were only in the making, and they were understood by the name Wehrmannschaften, but as I said before, the whole machinery was to start only on the 1st of October, and later on was cancelled and adjourned until the end of the war.

Q How can you say that the whole machinery was to start on the 1st of October when you see from that letter that in January 1939 the military training had already in the past been

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assigned to the SA?

A I have already stated that the organization of this pre-military preparation, of this pre-military exercise, was to start with the fuehrer's decree, but as to the individual exercises they were to start only on the 1st of October 1939. Up to that moment the exercises had only the character I have described today.

Q Why were the SA planning in January 1939 to start pre-military training in October of that year, if they did not know that about that time a war would be starting too. You are telling us now, witness, a very different story from the story you told us this morning. This morning you told us that the SA never had any military activities at all. Now, when the documents are put to you, you are admitting the existence of this gigantic militaristic scheme.

A I don't admit anything like that.

Q The word "Wehrmannschaften" applied to the whole of the scheme, didn't it? That was the name given the scheme?

A The name Wehrmannschaften referred, and called those men which were to be instructed in compliance with the Fuehrer's decree of January 1939.

THE COMMISSIONER:

Is there any translation of that word "Wehrmannschaften?"

H1042-0083

MR. MARRECO:

No sir, there is not, really -- for this reason: that the word "Wehrmannschaften" cannot be translated, because the word "defensive" does not coincide with the charter of this word.

Q. So why did you say on oath this morning, that the SA never had any militaristic activities at all?

A. I don't understand the question.

Q. It is a plain enough question. I am asking you, why you said on oath that the SA never had any military activities at all when you are now describing to us the nature of this Wehrmannschaften scheme?

DR. ASCHENAUER:

I want to stress the point that I have already dealt with the question of the Fuhrer's decree of 1939, and it is not correct if it is stated that the witness has not talked of this question.

MR. MARRECO:

I see..... I have no further questions.

THE COMMISSIONER:

This Fuhrer decree, is it in the possession of the prosecution?

MR. MARRECO:

No, it is not, It is only referred to in the correspondence referred to.

DR. ASCHENAUER:

May I stress the point that the Fuhrer decree of January 1939 is contained in the Act of Accusation and, to be exact, in the article of the SA Mann of January 27, 1939.

THE COMMISSIONER:

What is the date of the decree?

DR. ASCHENAUER:

January 19, 1939. I will submit this document to the Tribunal. (And here he attempts to show the document to the Commissioner, but the Commissioner says he does not want to see it now, he just wants it on the record.

THE COMMISSIONER:

Is there any more cross-examination?

H1042-0084

COLONEL ORLOV:

Q. Have you knowledge of a general regulation, service regulation, for the SA? Please listen to what I am reading to you and tell me whether you know any civil organiz tion that has such a regulation as I read you now: "Article 8. Every superior has the right to use his weapon in order to prevent one of his inferiors to attack him".

"Article 9. He who asks others to refuse obedience to a superior, or to resist him, or to use violence against him, will be severely punished for inciting these acts. Furthermore, if several persons agree to commit together such an act, they become responsible of mutiny".

DR. ASCHENAUER:

I would like to ask whether this document is a part of the Act of Accusation?

COLONEL ORLIV:

Yes.

DR. ASCHENAUER:

What number has it?

COLONEL ORLOV:

PS-2820. It has been submitted to the Military Tribunal on December 19th.

DR. ASCHENAUER:

What was the date of the military regulation?

COLONEL ORLOV:

1933.

Q. And another sentence: "The getting together of several persons for a common refusal of obedience or resistance or violence against superiors is revolt".

Tell me a civil organization which has such regulations in its charter.

A. Such regulations would be contained in the charter of any organization which would wnat their members which have joined for one thing voluntarily, to keep up discipline, and not on the other hand to refuse obedience.

H1042-0085

Q. You have not understood my question. Please name one or two civil organizations which had such regulations.

A. A school has regulations too, and especially interne schools where pupils are detained for one or several hours in a sin·le roo., and they have very severe disciplinary measures in those shcools.

Q. You have just declared that the SA man carried no weapons, for instnace, until the year 1933?

A. I have declared that until 1933 the SA could not wear weapons, but that after 1933 any German who could obtain a license for a weapon would be allowed to carry a weapon.

Q. I misunderstood you. I understood that you said only the chiefs of the SA had weapons at their disposal.

A. I have declared that any Germany who had a license was allowed to carry a weapon.

Q. Will you please tell me the difference now between the SA and a military organiz tions?

A. The SA was an organization in the first place as an instrument of propaganda....

Q. No , please answer in a concrete way.

A. The SA was a party organization, whereas the Wehrmacht was a military organization.

Q. The SA has the weapon. They had the military discipline. They had a charter in compliance with which it is possible to apply resistence... is that true?

A. We had those regulations for order because we meant to have order and cleanness in our ranks.

THE COMMISSIONER:

Well, the answer is yes, is it?

A. I cannot answer with one word this question.

THE COMMISSIONER:

It is a simple question: you have one thing, something else, something else. Is the answer yes?

H1042-0086

A. It is really two question, and therefore I have to give two answers.

COLONEL ORLOV:

Q. Is it true that the SA men were the most active to take part in anti-Jewish pogroms?

DR. ASCHENAUER:

I object to this question because I want to stress the point that the regulations of this Commission provide for the cross-examination to be confined only to the question which is the topic of the examination. This has been the topic of the interrogation of the witness Klaehm, and not of the witness Bock.

THE COMMISSIONER:

Is that so?

DR. ASCHENAUER:

I ask that the rules of procedure should be examined.

THE COMMISSIONER:

I am asking the Russian prosecutor whether in fact there was no examination on this question (implying here that he had adressed his previous remark to the Russian prosecutor rather than to defense counsel).

COLONEL ORLOV:

I don't recall quite correctly, but it might be correct. But I think it is of no importance whatsoever.

THE COMMISSIONER:

Very well then, let's leave it for the moment.

(To the interpreter)... Did you translate my question to the Russian prosecutor correctly, because it is very important that it be understood.

COLONEL ORLOV:

I don't quite remember either whether the defense counsel has asked the witness any question on the topic of the work of the SA in the instruction camps.

MR. MARRECO:

He has.

H1042-0087

DR. ASCHENAUER:

I have only asked question with regard to 1933 and questions on the concentration camps Oranienburg and Hohenstein, but not with regard to 1933.

THE COMMISSIONER:

Is there any further examination?

DR. ASCHENAUER:

I have only one question. The Russian prosecutor has submitted the regulations of the SA, and I want to ask whether these regulations are in any connection ith the regulations for the so-called peoples militia and which have never been executed and which have never gone into effect? or into force?

A. I have only knowledge through conversations, that in connection with the plans of peoples militia by Roehm, all sorts of regulations were issued, but that is all I can say about that matter.

MR. MARRECO:

Before we adjourn -- I want to make certain that the documents I submitted are in the record

(The documents of concern to Mr. Marreco are Documents PS-3581 and PS-3993).

DR. ASCHENAUER:

I ask that copies of the documents which I have a right to, be handed to me.

MR. MARRECO:

Yes. Here they are.

And the witness was dismissed.

(A recess was taken).

The foregoing is a true and correct transcript of the testimony of Franz Bock, taken on 9 July 1946.

BERNICE WINKLER
(Reporter (pp 1 - 8.)

EVELYN M. ROBERTS
Reporter (pp 8 - 22)

GENEVIEVE BIOLSI
Reporter (pp 23 - 48)

CERTIFIED TO:

MARTIN HAVARD
Commissioner.